

App F IX 4

Previous References

1933.
(*me*)

File No. 205-33.

Serial Nos. 1, 2 & 3

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos *Three*

Part B for *March 1934*

SUBJECT.

*Amendment to Rule 1(a) of the Rules issued
for the ~~election~~ election of Vice Presidents of Town
and Municipal Councils in the State*

3) To

*The Compiler
no L 6572 of 5-3-34*

Notified to all

Serial
No

From the Sec. Chitaldung Dist
No 1374/1933-34 dt 31.1.1934

Brings to the notice of Govt the inconvenience felt in holding the elections of Vice Presidents of m.c.s (Zam & Zamin) within one month after they are constituted & requests instructions as to whether the elections of Vice Presidents may be conducted in the second month from the date of re-constitution of the council

The rules regulating the conduct of elections of Vice Presidents of Zam & Zamin m.c.s. are contained in the notification no 23086
dt 20.7.27-2

dated 26.11.1927 & subsequently amended.
(Flag 9)

Under rule 1 (a), the meeting for the election of a V.P. for the m.c.s. has to be held ordinarily on a date not later than one month from the date of re-constitution. It is explained that it will be convenient should the meeting be held within this period.

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p 833

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K

File No

of 1933-34

General and Revenue
Secretariat

Serial
No

- instructions are submitted by the Sec. Controlling
whether in the circles reported, the election
may be held in the second round
from the date of re-constitution of the

ml cl
5 It may be pointed out that some
mls have been able to hold ^{such} meetings
within the period prescribed in the rules.
Under the ml. Regs 1906, the privilege
of having an elected vice-president had
be conferred on the ml cl. Under the new
Regulations (2000 & 2001), the vice-president
may be elected provided there is a resolution
of the ml cl to the effect that it is
necessary to have a vice-president
for the council

4 In this view rule 1 (a) of
the rules issued in 1927 requires to be
changed so as to make it clear
bring it into conformity with the provisions
of the new Regulations. It is necessary to allow
two months time to go through the formalities of election
5 A draft note is put up for
approval for the ideas.

5 The Law section may be remarked as
to the suitability of the modified
rule now proposed.

Ans
4/2/34

Asst Secy Law Secy with compls
for favour of remarks

ans
6.2.34.

(vide 10(1) of
the ml. Regs
1933.
p 28(1) of the ml.
Reg. 1933)

Serial
No

8 Rule 1(a) has to be modified as follows -

a) one month from the date of the
resolution of the Municipal Council
expressing its desire to have a
Vice President.

9 Any election held for the appointment of a
Vice President after one month from the date
of reconstitution ~~but~~ need not be considered to
be invalid on account of the existing rule 1(a)
because this rule is deemed to be in force only
so far as it is not inconsistent with the provisions
of the new ^{all} Regs of 1933. Since these Regulations
require an election only if & when the M.C. desires
to have a V-Prest, rule 1(a) which compels an
election to be held within one month of the
reconstitution is automatically abrogated -

Asst Secy Legy }
With Compt } 18/2/04

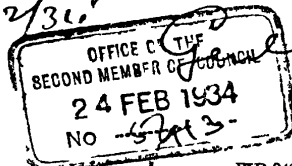
291
Law

GENERAL SECRETARY
23 FEB 1934
1591

10 A revised draft note in accordance
with the legal opinion expressed above
is sent for approval.

Second draft
sent to the Secy
attaching is also
sentup separately
as personal for apprl

for RM
21/2/34



11 The draft note is for approval. msk

22/2/04

SECTION
146 FEB 1934
15-40P H

msk
22/2/34

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26/2/34

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File No

205

of 1933-34

General and Revenue
Secretariat

Serial
No

2

To The Sec. Chitaldrug Dist

No 26495 of 26.2.34.

informs him that the election of the
vice-president of the popular mun-
icipal council may be held on
28/2/34 as already fixed & that the
question of amending the rule in
question is under separate consideration.

To The Compiler, Mysorepetta

3

No 26572 of 5.3.34

rewards rule 1(a) of the rules issued
the election of vice-presidents of towns
& municipalities

✓
B
for
20/8/34

2024. RA
Tel Address — Depcom,
CHITALDRUG

In reply, please refer to

No. 1374/1933-34

Enclosures One

205233-1 : 3641-
OFFICE OF THE DEPUTY COMMISSIONER,
CHITALDRUG DISTRICT

Dated Chitaldrug, 31st January 1934

FROM

M. Seshadri Esquire M.A.,
Deputy Commissioner,
Chitaldrug District

H V Ramaswami Esquire M.A., B.L.,
General Secretary to Government,
BANGALORE.

GENERAL SECRETARY,
12 FEB 1934
Sir,

In forwarding herewith a copy of letter dated 28th instant received from the President, Jagalur Municipality enquiring whether he could validly hold the election of the Vice President in the second month from the date of reconstitution etc., I have the honor to state that according to section 10(1) of the Mysore Minor Municipal Regulation there cannot be an election of the Vice President in a Municipality unless the Municipal Council expressed their desire to have a Vice President. The non-official President of Jagalur Municipality assumed charge of the Municipality on 4th January 1934 and called for a meeting of the new council on the 25th when they resolved to have a Vice President. According to the rules for the conduct of elections of the Vice President issued by Government in their No. L. 3056 ML 207-27-2 dated 26th November 1927 the date of the meeting for the election of the Vice President shall not ordinarily be later than one month from the date of reconstitution and in the same rules it is stated that at least 15 days' notice should be given of such meeting. In the present case as the first meeting was held only on 25th January 1934 the next meeting cannot be held in the current month only and the President has reported that the next meeting for election has been fixed for 28th February 1934.

Similarly in other municipalities which have reconstituted from 1st of this month, the election of Vice Presidents have already been held without first ascertaining the views of the Municipal Council as to whether they would have a Vice President. I am afraid that these elections will be invalidated as there cannot be such election against the provisions of the Regulation.

Under the circumstances I solicit the
Government at an early date whether the elect
may be conducted in the second month from the da
of the Council.

I have the honor to be

S I R,

Your most obedient servant,

M. J. [Signature]
Deputy Commissioner

Capitaldrug Dis

Letter dated 28-1-1934 from the President, Jagalur Municipality to the Deputy Commissioner, Chitaldrug.

Regarding the election of the Vice President to the minor municipality I beg to point out the difficulty arising out of the conflict between the new minor municipal Regulation and the rules framed under the old Regulation.

The rules under the old Regulation contemplate that the election of the Vice President should take place within a month of the reconstitution of the Council and there was no need for a prior resolution of the Municipal Council to have a Vice President or not. But the New Minor Municipal Regulation makes it obligatory that the Municipal Council shall determine to have a Vice President or not prior to holding the election.

Under these conditions, it is not possible to complete the election within one month as both the resolution and the election cannot be finished within this period.

The Jagalur Municipal council has decided at its first meeting of 25th January 1934 that a Vice President is necessary. In the absence of any rules under the New Regulation, I seek your instructions whether I could validly hold the election in the 2nd month as it is impossible to do so in the 1st month. I have fixed the date of election on 28th February 1934 and take necessary steps

with reference to the
election of the Vice
President of Jagalur
minor Municipal Council
whether the meeting thereof
may be held in the
second month from the
date of reconstitution of
the Municipal Council,
I am directed to state
that the election may
be held on the 28th

26/2/34

February 1934 as already
fixed, in view of the fact
that rule 1 (a) of the
rules prescribed in note
No L 3056/ ml 207-22-2
dated the 26th Nov 1927
which compels an election to
be held within one month
of the reconstitution of the
Council is automatically
abrogated, as the new Sanction
of the Regs 1933 require an
election to be held only if
when the M.L. desires to
have a Vice President.

The question of amending the
rule in question is under
consideration separately.

I have ch

not sent reg before
for

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E. L. R.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 26th February 1934.

No 6495 / 205-33-2

From

The General Secretary to the Government of His Highness
the Maharaja of Mysore

To

The Deputy Commissioner,
Chitaldrug District.

Sir,

With reference to your letter No. 1374/33-34 dated the 31st January 1934 enquiring with reference to the election of the Vice President of Jagalur Minor Municipal Council whether the meeting therefor may be held in the second month from the date of reconstitution of the Municipal Council, I am directed to state that the election may be held on the 28th February 1934 as already fixed, in view of the fact that rule 1 (a) of the rules prescribed in Notification No. L.3056/Ml.207-27-2 dated the 26th November 1927 which compels an election to be held within one month of the reconstitution of the Council is automatically abrogated, as the new Town and Minor Municipalities Regulations 1933 require an election to be held only if and when the Municipal Council desires to have a Vice President.

The question of amending the rule in question is under consideration separately.

I have the honour to be,
Sir,
Your most obedient servant,


General Secretary to Government.


SUBJECT

al

Diary No of letter replied to

General and Revenue Secretariat

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the 193

Date of issue 5-3-34

Signed by Mr. S. R. Acharya

Prof J

List of enclosures

Copied by

MS 11/2/34

Examined by

Section *inc*
File No 205-33
Serial No 3

No' L6572

To

Notification

Gvt are pleased to direct that the following be substituted for rule 1 (a) of the rules issued with note no 3054 on 20-7-22 dated the 26th Nov 1927 for regulating the Conduct of election of vice-presidents of Gram & minor municipal Councils in the State:—

"(a) one month from the date of the resolution the municipal Council

expressing its desire to have
a vice president?

By order

~~will~~ full secy to go

20 The committee, myself & the for
publication in Part III - 3 of the
franchise & supply of 100 copies to the
sect. of 50 copies to each of the
disc of dist. copy to the Protn Branch

meant no

Copy of the above forwarded to

the J.C. Chitalding dist. with refce

this letter no 1374/1933-34 dated the
31st January 1934 for information. It may
be stated in this connection that any
election held in the offshoot of a vice president
after one month from the date of reconstitution of the ml. cl
need not be considered to be invalid in account
of the existing rule 1(a), as the said rule is deemed
to be in force only so far as it is not
inconsistent with the provisions of the new constitution
rel^{to} reg^s, 1933. Since these Regulations require an
election only after if & when the ml. cl. desires
to have a vice president, rule 1(a) which compels an
election to be held within one month of the reconstitution
is automatically abrogated.

Copy to the disc of the dist.

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in the secret

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

Dated, Bangalore 21.12.1933

66572/205-33-3

NOTIFICATION

Government are pleased to direct that the following be substituted for rule 1 (a) of the rules framed with notification No. 25, K.L. 2, 7-27-2 dated the 24th November 1927 for regulating the conduct of election of Vice President of Town and Incorporal Councils in the District:-

"(a) No later than the date of the resolution of the Municipal Council expressing its desire to have a Vice President".

By order,

K. S. K. K. K.
General Secretary to Government.

For printer, please note for publication in Part 11-3 of the Mysore Gazette. 100 copies to the Government and 50 to each of the Deputy Commissioners of Districts.